United Nations A/C.1/58/PV.19

General Assembly
Fifty-eighth session

Official Records

First Committee
19th meeting
Thursday, 30 October 20[illegible] m.
New York

Chairman: Mr. Sareva (Finland)

The meeting was called to order at 10.20 a.m.

Agenda items 62 to 80 (*continued*)

Action on all draft resolutions and decisions submitted under disarmament and international security agenda items

The Chairman: This morning the Committee, in accordance with its programme of work and timetable, will continue with the third phase of its work, namely, action on all draft resolutions and decisions submitted under agenda items 62 to 80.

Before proceeding with our work, I would like to urge all delegations that wish to sponsor any remaining draft resolutions to inform the Secretariat as quickly as possible before action is taken on those drafts. Delegations should not seek to become sponsor of any draft resolution once action has been taken on a specific draft resolution.

The Committee will continue today to take decisions on draft resolutions that appeared in formal working paper No. 4, which was circulated yesterday. Starting again with cluster 1, namely, nuclear weapons. After completing action on draft resolution A/C.1/58/L.53, contained in cluster 1, the Committee will proceed to take action on draft resolutions A/C.1/58/L.43, L.28 and L.16/Rev.1, contained in clusters 4, 7 and 8, respectively.

I would like to inform the Committee that at the request of the sponsors, action on draft resolutions A/C.1/58/L.27 and L.26, contained in clusters 8 and 10, respectively, have been postponed to a later stage of the work of the Committee.

Before the Committee proceeds to take decision on draft resolution A/C.1/58/L.53, contained in cluster 1, namely, nuclear weapons, I shall give the floor to those delegations wishing to make a general statement other than explanations of vote or introduce revised draft resolutions. I see none.

I will now give the floor to those delegations who wish to make an explanation of vote before the vote.

Mr. Duarte (Brazil): On behalf of the countries of the New Agenda Coalition — Egypt, Ireland, Mexico, New Zealand, South Africa, Sweden and Brazil — may I refer to draft resolution A/C.1/58/L.53, entitled "A path to the total elimination of nuclear weapons".

One of the most significant results of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was the unequivocal undertaking given by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all parties to the NPT are committed under article 6. In our view, the draft resolution misinterprets that outcome, as was the case of a similar resolution last year. By placing the unequivocal undertaking of the nuclear-weapon States in subparagraph (e) of its operative paragraph 3, this draft resolution again suggests that this undertaking is a step that is yet to be

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

03-58681 (E)

taken. Also, the placement of this unequivocal undertaking in operative paragraph 3 creates a contextual linkage with general and complete disarmament, which we cannot accept.

We know that the sponsors of these draft resolutions are committed to nuclear disarmament, and we continue to appreciate their commitment. As we stated at the fifty-seventh session of the General Assembly last year, we would have been able to accept a return to a language that would correctly reflect the outcome of the 2000 Review Conference of the NPT. As such language has not been used, the members of the New Agenda Coalition will abstain in the vote on draft resolution A/C.1/58/L.53.

Mr. Heinsberg (Germany): Germany fully shares the commitment to the cause of nuclear disarmament and non-proliferation, and in particular to the full implementation by all States parties of their obligation under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT remains the cornerstone of the nuclear non-proliferation regime and the essential foundation for nuclear disarmament.

The Final Document of the 2000 NPT Review Conference and its adoption by consensus was an important step for the NPT as well as the nuclear non-proliferation regime as a whole. We attach particular importance to the progressive and full implementation of these practical steps included in the Final Document as they chart the way to nuclear disarmament.

Unfortunately, draft resolution A/C.1/58/L.53 leaves room for possible misinterpretations as far as this commitment to the full implementation of the practical steps for systematic and progressive efforts to implement article 6 of the NPT, as agreed by the 2000 NPT Review Conference is concerned, because the draft resolution does not reflect them in their entirety. This reduction remains a weak point of the draft and gives rise to concerns that we have already raised in previous years. In the light of the clear commitment to the cause of nuclear disarmament and non-proliferation expressed by the draft resolution, which we fully share, Germany will vote in favour of the draft; however, we have to underline again this year that we do not interpret the selective quoting in the draft resolution as detracting from the comprehensive commitment by the States parties to the NPT to implement the conclusions of the Final Document in their entirety.

The Chairman: Do any other delegations wish to make an explanation of vote before action is taken? I see none.

The Committee will therefore now proceed to take action on draft resolution A/C.1/58/L.53, as orally amended.

A recorded vote has been requested.

Mr. Saïtar (Secretary of the Committee): The Committee will proceed to take action on the draft resolution contained in document A/C.1/58/L.53, entitled "A path to the total elimination of nuclear weapons". This draft resolution was introduced by the representative of Japan at the Committee's 11th meeting, on 20 October 2003. The sponsors of the draft resolution are contained in document A/C.1/58/L.53 and in document A/C.1/58/INF/2. In addition, as indicated in document A/C.1/58/INF/2/Add.3, the following countries have also become sponsors of the draft resolution: Gabon, Nicaragua and Timor-Leste.

Before action, I would like to draw delegations' attention to the sixth preambular paragraph. The fifth word, which is "recent", has been deleted. This is the only amendment.

The Committee would now proceed to take action on draft resolution A/C.1/58/L.53, as orally amended.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia,

Maldives, Mali, Malta, Mauritania, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia

Against:

India, United States of America

Abstaining:

Bhutan, Brazil, China, Cuba, Democratic People's Republic of Korea, Egypt, Ireland, Israel, Marshall Islands, Mexico, Myanmar, New Zealand, Pakistan, Somalia, South Africa, Sweden

The draft resolution was adopted by 146 votes to 2, with 16 abstentions.

[Subsequently, the delegation of Papua New Guinea informed the Secretariat that it had intended to vote in favour.]

The Chairman: I will now call on those delegations wishing to express themselves in explanation of vote after the vote.

Mr. Varma (India): We have sought the floor to explain our position with regard to A/C.1/58/L.53, "A path to the total elimination of nuclear weapons".

India has an unwavering commitment to nuclear disarmament and the goal of the complete elimination of nuclear weapons globally; however, the main legal instrument purported to have been intended to achieve these objectives does not seem to have been effective. India would like to reiterate that it is necessary to recognize this and instead take a path that goes beyond the essential discriminatory framework of the Treaty on the Non-Proliferation of Nuclear Weapons towards equal and legitimate security for all through global nuclear disarmament.

Therefore, while we agree with the basic objectives of this draft resolution, regarding which we would have no quarrel at all in terms of principle with the draft's main sponsors, that is, the global elimination of nuclear weapons, we cannot support the draft resolution because it contains several elements that are derived from that basic flawed premise and approach. Therefore, the draft resolution remains unacceptable to India. We were compelled to cast a negative vote on this text.

Mr. McGinnis (United States of America): We too would like to provide an explanation of vote on the draft resolution A/C.1/58/L.53, "A path to the total elimination of nuclear weapons".

The draft resolution stresses, as its predecessors have done, the importance of urgent signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), with a view to achieving its early entry into force. The United States, however, does not support the CTBT and will not become a party to it. While we do not doubt the good intentions of the sponsors of this draft resolution, the United States was again forced to vote no.

Mr. Hu Xiao Di (China) (*spoke in Chinese*): The Chinese delegation supports the total elimination of nuclear weapons, which is the thrust of the draft resolution entitled "A path to the total elimination of nuclear weapons" (A/C.1/58/L.53).

However, there are still deficiencies in this draft resolution. It makes no mention of some of the fundamental principles on nuclear disarmament, and certain measures advocated in the text are not realistic or feasible in the current international situation. Therefore, the Chinese delegation abstained in the vote on this draft resolution.

Mr. Kmentt (Austria): I am taking the floor to give an explanation of Austria's vote on A/C.1/58/L.53. At the outset, I would like to thank the delegation of Japan for the elaboration and presentation of this text.

Austria has voted in favour of this draft resolution as it contains many important issues which my delegation fully supports. Austria shares Japan's long-standing commitment to the cause of nuclear

disarmament and non-proliferation and in particular to the full implementation by all States parties of their obligation under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). In this respect, let me reiterate that Austria continues to attach high importance to the Final Document of the 2000 NPT Review Conference and the practical steps for the systematic and progressive efforts to implement article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", agreed to by consensus in the Final Document.

Against this background, we regret to say that in the draft resolution on which action was now taken, operative paragraph 11, concerning the International Atomic Energy Agency (IAEA) safeguards system, again falls short of our expectations. As delegations are well aware, the issue of proliferation of weapons of mass destruction, and in particular of nuclear weapons, has gained enormous importance in the last year and ranks high on the international agenda. Among the key measures identified to combat the proliferation of nuclear weapons and to detect undeclared nuclear activities is, of course, the strengthening of the verification capabilities of the IAEA by means of strengthening its safeguards system. Hence, the conclusion of comprehensive safeguards agreements and additional protocols, as well as the swift implementation of the so-called "integrated safeguards system", are indispensable instruments for the IAEA to be able to verify compliance of States parties with the NPT.

The weak language chosen in operative paragraph 11 is thus in stark contrast to the importance the international community attaches to the IAEA safeguards system. Resolution GC(47)/RES/11, adopted by the IAEA General Conference on 19 September 2003, which is quoted in operative paragraph 11, contains a number of important elements which could have been included in this First Committee draft resolution.

This omission sends a wrong signal to possible violators of the NPT, that is, that the First Committee regards verification of full compliance of States parties with the obligations enshrined in the NPT of lesser importance. Austria does, of course, not subscribe to this view. On the contrary, the NPT is a carefully crafted, well-balanced Treaty, and all its articles are closely interlinked and of equal importance.

In past years, we have expressed our hope that our concerns would be taken into due consideration. In view of recent challenges to the NPT, we wish to reiterate our concerns and urge the sponsors of this important draft resolution to remedy this shortcoming next year.

Mr. Rivas (Colombia) (*spoke in Spanish*): As to the fourteenth preambular paragraph and operative paragraph 3 (a) of draft resolution A/C.1/58/L.53 which we have just voted on and which relates to the Comprehensive Nuclear-Test-Ban Treaty, we should like to explain our vote with regard to document A/C.1/58/L.53.

In line with international law and the political constitution of Colombia, the provisions of the treaties signed by our country can only be considered fully valid from the date of ratification. Therefore, in public and transparent fashion for over three years, Colombia has presented its arguments before the provisional technical secretariat of the Comprehensive Nuclear-Test-Ban Treaty Organization as well as before its Preparatory Commission and subsidiary bodies.

At the third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held in September 2003 in Vienna, we reaffirmed our commitment to the Treaty and proposed to overcome these remaining constitutional impediments to make contributions to the Preparatory Commission prior to ratification of the Treaty.

We appreciate the interest shown by a number of States participants to find a way around these impediments such as would allow us to ratify the Treaty as soon as possible as we indeed desire. As to this specific proposal, the States participants suggested that further discussion be held in the context of the Preparatory Commission on the Treaty and its subsidiary bodies with the advice of the provisional technical secretariat.

We hope and expect that these discussions soon will lead to a positive outcome for the problem posed by our country so that we can proceed to ratify this Treaty.

Mr. Rivasseau (France): France decided to lend its support to the draft resolution submitted by Japan. We do, however, have one serious difficulty with one of the innovations introduced this year to the text, namely, the second preambular paragraph.

The way this paragraph is drafted with regard to nuclear devastation in fact departs from the formulation to which we had agreed under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and which reads as follows:

> "Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,
>
> "Believing that the proliferation of nuclear weapons would seriously enhance the danger of a nuclear war."

This is why France wishes to emphasize that our efforts fit into the purview of the NPT, and in agreeing to the text proposed by Japan, we do not mean to be entering into any commitment which differs from those already existing under the NPT.

Let me recall that the paramount guarantee for France's security is nuclear deterrence. Nothing in the second preambular paragraph could possibly countermand the rights and obligations my country has it, that regard as defined by the United Nations Charter.

I should finally like to underscore that my country's decision to accept the text in its present form is valid here and now. It is a gesture we have made, mindful of our ties of friendship with Japan, and cannot be construed as a precedent, including for our future discussions within this Committee or in other forums dealing with nuclear issues.

Mr. Durrani (Pakistan): My delegation is taking the floor to explain our vote on draft resolution A/C.1/58/L.53, entitled "A path to the total elimination of nuclear weapons".

My delegation finds several provisions of the draft resolution questionable. It places inordinate emphasis on non-proliferation rather than nuclear disarmament, representing a regression in this vital area. We also cannot endorse the contents of some of the preambular paragraphs and have reservations on operative paragraph 1.

Pakistan, as a non-party to the Treaty on the Non-Proliferation of Nuclear Weapons, (NPT) understands that we are under no obligation to implement operative paragraph 3, including several subparagraphs therein, nor are we bound by any of the provisions which emanate from the NPT Review Conference or other forums in which Pakistan is not represented. This understanding enabled my delegation to abstain rather than vote against this draft resolution.

Mr. Tengku Hussein (Malaysia): My delegation should like to explain our vote on draft resolution A/C.1/58/L.53.

We voted in favour of the draft resolution as we support efforts towards the objective of a nuclear-free world. The continued existence of nuclear weapons poses a threat to all humanity. Their use would have catastrophic consequences for all life on earth. All of us recognize that the only credible and absolute defence against a nuclear catastrophe is the total elimination of nuclear weapons.

Malaysia shares the deep concern expressed by the sponsors of this draft resolution regarding the growing danger posed by the proliferation of weapons of mass destruction, in particular nuclear weapons, as reflected in the second preambular paragraph. However, the lack of progress in the area of nuclear disarmament is frustrating to all countries, organizations and individuals that are committed to the goal of totally eliminating these weapons. The proliferation of nuclear weapons, including plans to build new nuclear weapons as well as plans for their possible use in future military conflicts, is alarming.

The international community must address this dangerous situation in a concerted and non-discriminatory manner, in a manner that is consistent with our obligations under international law. We must support efforts that seek to bring all countries together in creating a nuclear-free world. The vitality of multilateralism and multilaterally agreed solutions in addressing disarmament and international security issues must be preserved and strengthened.

The Chairman: That concludes the list of speakers in explanation of vote after the vote. I do not see any other requests for the floor; the First Committee will therefore now proceed to take action on the one draft resolution under cluster 4, namely, conventional weapons, and that draft resolution is contained in document A/C.1/58/L.43. I will first give the floor to those delegations wishing to make general statements or to introduce revised draft resolutions.

Mrs. Laohaphan (Thailand): Before the meeting moves on to action on document A/C.1/58/L.43,

entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", I would like to make an oral amendment to the eleventh preambular paragraph which now reads as follows:

> "Noting with satisfaction that additional States have ratified or acceded to the Convention, bringing the total number of States that have formally accepted the obligations of the Convention to one hundred and thirty-nine."

As Sudan and Burundi have recently deposited their instruments of ratification on 13 and 22 October, respectively, the number of States that have formally accepted the obligations of the Mine-Ban Convention is now 141. Accordingly I ask, through you, Mr. Chairman, the representatives of the First Committee to accept the amendment.

Given the humanitarian nature of the Convention and the devastating effects of anti-personnel mines on human development worldwide, we hope that the draft resolution will receive overwhelming support from the Committee. We thank all the sponsors of the draft and hope that many of those not in the position to sponsor the draft resolution can vote in favour of the text.

The Chairman: I have no other requests for the floor. Do any delegations wish to express themselves in explanation of vote before the vote? I see none. The Committee will therefore now proceed to take action on draft resolution A/C.1/58/L.43, as orally amended a moment ago.

A recorded vote has been requested.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on the draft resolution contained in document A/C.1/58/L.43, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction". This draft resolution was introduced by the representative of Thailand at the Committee's 15th meeting on 24 October 2003. The sponsors of the draft resolution are contained in document A/C.1/58/L.43 and in document A/C.1/58/INF/2 and A/C.1/58/INF/2/Add.1. Also, Turkmenistan has joined the sponsors of the draft resolution.

In this connection, I would like to put into the record the following statement of financial implications on behalf of the Secretary-General.

By paragraphs 8 and 9 of the draft resolution, the General Assembly would request the Secretary-General, in accordance with article 12, paragraph 1, of the Convention, to undertake the preparations necessary to convene the Convention's First Review Conference at Nairobi, from 29 November to 3 December 2004, and requests the Secretary-General, on behalf of States parties and in accordance with article 12, paragraph 3, of the Convention, to invite States not parties to the Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations, to attend the First Review Conference as observers.

The Secretary-General wishes to draw the attention of Member States to the fact that the cost of the First Review Conference, in accordance with article 14 of the Convention, would be borne by States parties and States not parties to the Convention participating in the First Review Conference, in accordance with the United Nations scale of assessments, adjusted appropriately. The Secretariat will prepare preliminary cost estimates for the First Review Conference for the approval of the States parties following a planning mission to Nairobi to assess the requirements for conference facilities and services. In this regard it is noted that, following established practice, the United Nations would levy a charge at the rate of 13 per cent of expenditures to defray the administrative and other support costs incurred in connection with such preparation. That charge would also be borne by States parties and States not parties to the Convention participating in the First Review Conference.

It is recalled that all activities related to international conventions or treaties that, under their respective legal arrangements, ought to be financed outside the regular budget of the United Nations may be undertaken by the Secretariat only when sufficient funding is received in advance from States parties and States not parties to the Convention participating in the meeting.

The Committee will now proceed to take action on draft resolution A/C.1/58/L.43, as orally revised by Thailand. In the eleventh preambular paragraph, the

last number, which now reads "one hundred and thirty-nine", would read "one hundred and forty-one".

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Azerbaijan, China, Cuba, Egypt, India, Iran (Islamic Republic of), Israel, Kazakhstan, Lebanon, Libyan Arab Jamahiriya, Micronesia (Federated States of), Morocco, Myanmar, Pakistan, Republic of Korea, Russian Federation, Syrian Arab Republic, United States of America, Viet Nam

The draft resolution, as orally amended, was adopted by 143 votes to none, with 19 abstentions.

The Chairman: I will now call upon those delegations wishing to express themselves in explanation of vote after the vote.

Mr. Varma (India): India has abstained in the vote on this draft resolution. We believe that we share its ultimate objective and are committed to a non-discriminatory global ban on anti-personnel landmines through a phased process that addresses the legitimate defence requirements of States while ameliorating the critical humanitarian crisis that has resulted from an indiscriminate transfer and use of landmines.

We believe that the phased approach commends itself as a confidence-building process enabling States, especially with long borders, to safeguard their legitimate security needs. The process of complete elimination of anti-personnel mines will be facilitated by addressing the legitimate defensive role of anti-personnel landmines for operational requirements under the defence doctrines of countries concerned, through the availability of appropriate militarily effective and non-lethal alternative technologies that can perform cost-effectively the legitimate defence role of anti-personnel landmines.

India would support negotiations in the Conference on Disarmament for a ban on transfer of anti-personnel landmines on the basis of a mandate that reflects the interests of all the delegations. India has played and continues to play an active role in the Convention on Conventional Weapons process and has ratified all its protocols, including amended Protocol II on landmines.

Since 1997, we have discontinued the production of non-detectable anti-personnel landmines and have completed design-development trials of detectable anti-personnel landmines.

Mr. Gala López (Cuba) (*spoke in Spanish*): As we have done in past years, my delegation abstained during the vote on the draft resolution now embodied in document A/C.1/58/L.43, dealing with the total prohibition of anti-personnel mines.

Cuba always has devoted due attention and importance to the legitimate humanitarian concerns associated with the indiscriminate use of anti-personnel mines. Cuba firmly supports the prohibition of all indiscriminate and irresponsible use of anti-personnel mines.

We stand opposed to the use of anti-personnel mines in domestic conflicts, as well as the use of non-detectable mines and, in general, any use of mines that can harm the civilian population. We take the view that the ultimate purpose of negotiations on anti-personnel mines throughout has been that of guaranteeing maximum protection to the civilian population and not that of restricting the military capability of countries to preserve their own sovereignty and territorial integrity. This corresponds with the right to legitimate self-defence, as recognized in the Charter of the United Nations.

Once again this year, we appreciate the absence of an acknowledgement of legitimate security interests in the text of the draft resolution just adopted. For Cuba, a country for more than 40 years subjected to a policy of constant hostility and aggression by the country with the greatest military and economic power in the world, it is impossible to give up the use of this kind of weapon to defend its sovereignty and territorial integrity.

We shall continue fully to support all efforts which, while maintaining the necessary balance between humanitarian issues and those of national security, would be aimed at eliminating the terrible effects caused among the civilian population in many countries by the indiscriminate and irresponsible use of land-based anti-personnel mines.

Ms. Kim Ji-Hee (Republic of Korea): As previously, my delegation has abstained from the vote on draft resolution A/C.1/58/L.43, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", for the well known reason that it contains provisions inconsistent with the legitimate security needs of the Republic of Korea arising from the unique situation on the Korean Peninsula.

Nevertheless, the Republic of Korea wholeheartedly supports the humanitarian cause of the Mine-Ban Convention, which aims to eliminate the consequences of the indiscriminate use of anti-personnel landmines. My Government has joined its national efforts to this noble end, including annual contributions to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance. In addition, my Government has actively participated in the relevant discussions within the framework of the Convention on Certain Conventional Weapons, since the Republic of Korea acceded to its amended Protocol II in November 2001.

Mr. Durrani (Pakistan): I have asked for the floor to explain our position with regard to the draft resolution on implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction.

Pakistan's position on the question of anti-personnel landmines is determined by legitimate security concerns. Given our security compulsions and the need to guard our long borders, not protected by any natural obstacle, the use of landmines forms a natural part of our self-defence strategy. As such, it is not possible for Pakistan to agree to the demands for the complete prohibition of anti-personnel mines until such time that viable alternatives are available. Therefore, Pakistan was constrained to abstain on the draft resolution; however, Pakistan is against the irresponsible use of landmines, which has caused so much destruction and misery. We remain committed to ensuring the highest standards of responsibility in the use of these defensive weapons.

Pakistan is a party to the amended Protocol II of the Convention on Certain Conventional Weapons that regulates the use of landmines, in both internal and external conflicts, to prevent civilians from falling victim to landmines. We are continuing to implement the Protocol with the greatest earnestness.

It is our conviction that truly universal norms and standards can and should be set within the framework of the United Nations, incorporating humanitarian and security requirements.

Mr. Vasiliev (Russian Federation) (*spoke in Russian*): I have requested the floor to make a brief statement explaining the vote of the Russian Federation on draft resolution A/C.1/58/L.43.

The Russian Federation is not a party to this Convention. Therefore, we cannot support the draft resolution A/C.1/58/L.43. Russia would be prepared to

accede to this Convention when conditions are provided for the actual implementation of its provisions. The Russian Federation, at the same time, is very much in favour of a stage-by-stage progress towards this end.

Mr. Min (Myanmar): I should like to explain my delegation's position on the resolution contained in document A/C.1/58/L.43, entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

Myanmar is not a signatory State, nor is it a State party to the Ottawa Convention, nor did it participate in the Ottawa process. But we respect the position of the countries that sign and ratify the Ottawa Convention. In principle, Myanmar is in favour of banning export, transfer and indiscriminate use of anti-personnel mines. At the same time, we believe that every State has the right to self-defence. As a matter of fact, the sanctity of the right to self-defence is enshrined in article 51 of the United Nations Charter.

It is therefore essential that every State should be able to exercise the right of self-defence when its national security and sovereign interests are at stake. We recognize that the indiscriminate use of anti-personnel mines is causing death and serious injuries to innocent children, women and men around the world. Easy availability of landmines is the main reason behind those tragedies. Our efforts can go a long way towards preventing those tragedies if we concentrate on addressing the illicit trafficking and indiscriminate use of landmines by non-State actors. In our opinion, a sweeping, total ban of anti-personnel mines is not yet a practical and effective measure under the prevailing circumstances.

We believe the proper forum to deal with this problem of illicit trafficking and indiscriminate use of anti-personnel mines is the Conference on Disarmament. For this reason, my delegation has abstained in the voting on the draft resolution A/C.1/58/L.43.

Mr. Najafi (Islamic Republic of Iran): The Islamic Republic of Iran has always expressed that it shares the sentiments of the States parties to the Ottawa Convention for sponsoring the draft resolution, now contained in document A/C.1/58/L.43, and submitting it for consideration and action by the General Assembly.

Landmines have been used irresponsibly by military and armed groups during civil wars in certain regions of the world, and consequently have claimed a great number of innocent lives, particularly among women and children. This situation is not acceptable, and we welcome every effort to stop this trend.

The Ottawa Convention on Landmines, however, is not a conclusive and comprehensive response to this tragedy. A real campaign to combat the irresponsible uses of landmines needs to be far-reaching and should involve different and multifaceted related aspects of the issue.

This Convention could be more effective if concerns of countries with long land borders would be taken into consideration.

Therefore, the Convention, due to this reality, has not been received with enthusiasm in certain regions. Landmines continue to be the sole effective means to ensure the minimum security requirements of borders in countries with long land borders. The difficulty to monitor sensitive long areas by established and permanent guarding forces or effective warning systems leaves no option for these countries other than resorting to landmines. These mines, however, are used under strict established rules and regulations to protect civilians.

The landmines process is an evolving one, and complementary efforts need to be pursued. More efforts are necessary to explore new alternatives to landmines and to extend international cooperation in this field. In the meantime, observance and strengthening the standards to limit the use of landmines could be encouraged. Moreover, international efforts also need to be made to speed up the mine-clearance activities within the United Nations system.

My delegation, while appreciating the essence and objectives of the draft resolution, due to its particular concerns and considerations, could not support the draft resolution, and therefore voted to abstain.

Mr. Pant (Nepal): My delegation has taken the floor to explain its vote after the vote. We voted in favour of the draft resolution on anti-personnel landmines, contained in document A/C.1/58/L.43, in keeping with our strong moral commitment to it.

Nepal has always remained an advocate of the Ottawa Convention on Landmines. Despite our desire to join the rank of the nations which are parties to this important global compact, it will be some time before my country will be able to sign it, owing to its internal security concerns.

Mr. Leck (Singapore): I have asked for the floor to explain Singapore's vote on document A/C.1/58/L.43. Singapore's position on anti-personnel landmines has been clear and open. Singapore supports and will continue to support all initiatives against the indiscriminate use of anti-personnel landmines, especially when they are directed at innocent and defenceless civilians.

With this in mind, Singapore declared a two-year moratorium in May 1996, on the export of anti-personnel landmines without self-neutralizing mechanisms. In February 1998, Singapore expanded the moratorium to include all types of anti-personnel landmines, not just those without self-neutralizing mechanisms, and extended the moratorium indefinitely.

At the same time, like several other countries, Singapore firmly believes that the legitimate security concerns and the right to self-defence of any State cannot be disregarded. A blanket ban on all types of anti-personnel landmines might therefore be counterproductive.

Singapore supports international efforts to resolve the humanitarian concerns over anti-personnel landmines. We will continue to work with members of the international community towards finding a durable and truly global solution.

The Chairman: That concludes the list of speakers in explanation of vote after the vote.

The Committee will now proceed to take action under cluster 7, disarmament machinery, and the one draft resolution we will consider under cluster 7 is the text contained in document A/C.1/58/L.28.

Do any delegations wish to make general statements? I see none.

Do any delegations wish to express themselves in explanation of vote before the vote? I see none.

The Committee will therefore now proceed to take action on draft resolution A/C.1/58/L.28.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.28, entitled "United Nations regional centres for peace and disarmament". This draft resolution was introduced by the representative of Malaysia on behalf of the States Members of the United Nations that are members of the Non-Aligned Movement at the Committee's 14th meeting, on 23 October 2003. The additional sponsors of the draft resolution are contained in document A/C.1/58/INF/2. In this connection, I would like to draw members' attention to programme budget implications of the draft resolution, which are contained in document A/C.1/58/L.59.

The Chairman: The sponsors of the draft resolution have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

The draft resolution was adopted.

The Chairman: Are there any delegations wishing to express themselves in explanation of vote after the vote after the action? I see none.

The Committee will therefore now proceed to take action under the one draft resolution that we will consider today under cluster 8, namely, "Other disarmament measures". That draft resolution is contained in document A/C.1/58/L.16/Rev.1. Do any delegations wish to make general statements? I see none. Are there any delegations wishing to express themselves in explanation of vote before the vote? I see none.

The Committee will therefore now proceed to take action on draft resolution contained in document A/C.1/58/L.16/Rev.1.

Mr. Sattar (Secretary of the Committee): The Committee will now take a decision on the draft resolution contained in document A/C.1/58/L.16/Rev.1, entitled "National legislation on transfer of arms, military equipment and dual-use goods and technology". This draft resolution was introduced by the representative of the Netherlands at the 14th meeting of the Committee, on 23 October 2003.

The Chairman: The sponsors of the draft resolution have expressed the wish that the draft resolution be adopted by the Committee without a vote.

If I hear no objection, I will take it that the Committee wishes to act accordingly.

The draft resolution was adopted.

The Chairman: Are there any delegations wishing to express themselves in explanation of vote after the vote?

Mr. Cala López (Cuba) (*spoke in Spanish*): I would like to make reference to draft resolution A/C.1/58/L.16/Rev.1, entitled "National legislation on transfer of arms, military equipment and dual-use goods and technology", which deals with an issue of particular importance.

Although our delegation has rallied round to the consensus, we should like to place on record some points with regard to this issue. In Cuba's view, it is within the context of international juridically binding treaties, negotiated multilaterally, and of universal scope and non-discriminatory in nature, where one can effectively guarantee strict international control over arms transfers and the transfers of military equipment and dual-use goods and technology.

The existence of export control regimes, based on selective and discriminatory criteria, in actual practice represent a serious obstacle in the way of application of the inalienable right all States have to use for peaceful purposes various means and technologies existing in the chemical, biological and nuclear arenas. Cuba takes the view that the model of export and import controls that is the most effective is the one negotiated and applied in a multilateral framework.

By the same token, any and all international export and import controls must, among its essential prerequisites, have the maximum widest possible participation of countries ready to make compatible their own national controls and regulations with a view to facilitating the monitoring of activities subject to such regulation. Only such participation, broad-ranging and non-discriminatory in nature, can guarantee the effectiveness of compliance with the effort to attain the objectives set. At the same time, Cuba is convinced that multilateral efforts must be complemented with measures adopted at the national level, such as to strengthen the commitments entered into by States in the area of international disarmament treaties and treaties on non-proliferation to which they are parties.

The Chairman: I do not see any other delegations wishing to make an explanation of vote, and therefore, I would like to inform you that at its next meeting, the Committee will continue to take action on the draft resolutions, as contained in informal working paper No. 5, which will be distributed to you shortly.

Mr. Lunaces (United States of America): On behalf of the delegations of the Russian Federation and of the United States, our delegation would like to call the attention of our fellow delegates to today's *Journal*, which contains the following notice:

> "Meeting to address U.S.-Russian non-proliferation measures to meet global security challenges (organized by the Permanent Missions of the Russian Federation and the United States)."

With the indulgence of the Chair, I would like to read the one sentence entry:

> "The U.S. Secretary of Energy and the Russian Minister of Atomic Energy will co-host a meeting to address U.S.-Russian non-proliferation measures to meet global security challenges to be held on Wednesday, 5 November 2003, at 4 p.m. in the Economic and Social Council Chamber."

We call the attention of delegations to this because of the announcement and the potential overlap in Wednesday's potential meeting of this Committee and of these presentations. We merely wish to call it to the attention of delegates who may be interested in attending the other meeting as well.

The Chairman: Before adjourning the meeting, I would like to inform the Committee that the ceremony of presentation of the 2003 United Nations Disarmament Fellowship certificates would be taking place in this conference room immediately after this morning's meeting of the Committee. Consequently, I kindly ask all delegations to remain in their seats for the ceremony, and to congratulate our junior colleagues.

The meeting rose at 11.30 a.m.